



**IN THE  
UNITED STATES  
PATENT AND TRADEMARK  
OFFICE**

<i>Application No.</i>	10/050,848
<i>Filing Date</i>	18 January 2002
<i>First Named Inventor</i>	Norman G. ANDERSON
<i>Group Art Unit</i>	1634
<i>Examiner Name</i>	F. Lu
<i>Attorney Docket No.</i>	2316-148

*Title of the Invention:* **DETECTION AND CHARACTERIZATION OF MICROORGANISMS**

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**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

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TECH CENTER 1600/2900

Dear Sir:

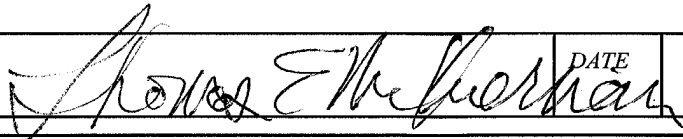
In response to the Office Action mailed July 30, 2002, the Applicant elects Group I, claims 1 through 17, with traverse. With respect to the Species, the Applicant elects Species 5(1): claims 6, 25, 44, and others, with traverse; Species 6(2): claims 13, 32, 51, and others, with traverse; and Species 7(1): claims 2, 21, 40 and others, with traverse. Reconsideration of the Election/Restriction is respectfully requested.

**REMARKS**

It is submitted that all of the claims should be examined together because, as the Office Action makes clear, all of the claims are classified together in class 422, subclass 102. Plus, a search for one centrifuge tube of one diameter is an integral part of a search for the other. It is thus inappropriate to restrict the pending claims into two groups.

Furthermore, since the classification system at the Patent Office makes no such fine distinctions between centrifuge tube velocities, all of the species will necessarily be classified, and found, together and thus no election of species is necessary or appropriate. The differences are merely numerical differences between centrifuge speeds and tube sizes. Searching one species involves inherently searching all other species and thus the consideration of these numerical values ought to be no undue burden.

Withdrawal of the restriction requirement is earnestly solicited.

RESPECTFULLY SUBMITTED,					
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